

**REGULAR MEETING of the Burrillville Town Council held Wednesday, October 24, 2012 at 7:00 P.M. in the Town Council Chambers, 105 Harrisville Main Street, Harrisville for and within the Town of Burrillville.**

**PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson**

**MEMBERS ABSENT: None**

**1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.**

**2. That the question of accepting the minutes of the regular meetings held August 22, September 26 and October 10, 2012 and the question of dispensing with the reading of said minutes be now taken up.**

**Discussion: It was noted that the Town Council had been provided with a correction to the October 10, 2012 minutes.**

**VOTED to accept with the change as noted the minutes of the regular meetings held August 22, September 26 and October 10, 2012 and dispense with the reading of said minutes.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward**

**J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**3. Public Comment: None**

**4. General Good and Welfare of the Town of Burrillville**

**Councilor Margaret L. Dudley announced the Friends of the Library book sale scheduled for November 17, 2012 and the Friends of the Library silent auction to be conducted from November 17 to December 1, 2012.**

**Birthday wishes were extended to Michael C. Wood, Town Manager.**

**Councilor Margaret L. Dudley commented on the upcoming election and encouraged electors to vote.**

**Councilor Dudley noted the many election signs and encouraged prompt removal after the election.**

**Councilor Kevin D. Heitke announced the Parks & Recreation Department Fall Floral & Craft class scheduled for October 25, 2012.**

**Councilor Edward J. Blanchard announced the October 25, 2012**

**Pumpkinfest sponsored by the Downtown Pascoag Neighborhood Association.**

**Councilor Edward J. Blanchard announced the Friday Night Skate Night at the June Rockwell Levy Rink.**

**Michael C. Wood, Town Manager, discussed the tree planting at the Stillwater pavilion site. A spruce tree had been donated to recognize Mrs. Latendresse's birthday and the other trees were donated by the Conservation Commission and Redevelopment Agency. Mr. Wood thanked Kevin Cleary and Richard Dionne of the Conservation Commission and the staff of the Department of Public Works for planting the trees.**

**Birthday wishes were extended to Council President Nancy F. Binns.**

**Council President Nancy F. Binns described the events scheduled in conjunction with the Downtown Pascoag Neighborhood Association Pumpkinfest.**

**Council President Nancy F. Binns announced Red Ribbon Week, noting that Callahan School students would present a pledge banner at the town building on Thursday, October 25, 2012.**

**Council President Nancy F. Binns spoke of the new Police Memorial erected at the Burrillville Police Department in memory of deceased**

**members of the department. Council President Binns recognized and thanked Senator Fogarty, the Federal Order of Police, the Citizens Police Academy and Roots & Shoots.**

## **5. Petitions:**

**12-238 Petition of National Grid for pole locations along and across Walling Road for the purpose of installation of anchor.**

**MOTION to grant the petition of National Grid for pole locations along and across Walling Road for the purpose of installation of anchor.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson.**

**AMENDED MOTION to grant the petition of National Grid for pole locations along and across Walling Road for the purpose of installation of anchor; and should the anchor need to be moved it would be at National Grid's expense and not the Town's.**

**Amendment by Councilor Margaret L. Dudley. Seconded by Councilor Stephen N. Rawson. The vote on the motion, as amended, was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

## **6. Special Business:**

**12-239 VOTED to issue an annual entertainment license from Dev's Café, Inc. d/b/a Dev's Café to apply at 341 Chapel Street, Harrisville on property owned by Michele C. Dolinski (Map 142, Lot 40).**

**Note: Liquor, victualing and pool table licenses to be considered at the November renewal meeting.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**12-240 VOTED to receive and file the claim against the Town of Burrillville pursuant to R.I.G.L. §45-15-5, and to refer it to The Trust.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

## **7. Public Hearing: None**

## **8. Unfinished Business:**

**12-222 Correspondence from Virginia M. Houle, Hill Road, regarding road conditions on Hill Road. Note: This item is addressed under new business related to the annual capital program – please see item #12-246**

**VOTED to move forward.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

## **9. New Business:**

**12-241 VOTED to open the correspondence from Council President Nancy F. Binns regarding the Holiday Card Contest.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**Discussion: Council President Nancy F. Binns explained the Council sponsored Holiday Card Contest. 2012 artists were A.T. Levy School students. Council President Binns announced the five winners, who were:**

- Abigail Badeau, Grade One**
- Braydon Drywa, Kindergarten**
- Olyvia Bendza, Grade One**
- Tyler Somero, Grade One**
- Riley Michaud, Grade One**

**Council President Binns indicated that the artwork would be printed as holiday cards and sold throughout town, with proceeds to benefit a local family in need.**

**12-242 Correspondence from Councilor Wallace F. Lees, Chairman, Screening Subcommittee, regarding the Subcommittee's recommendations**

**VOTED to reappoint Kelly Hunt as a member of the Housing Authority to serve a five-year term to expire on October 31, 2017.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The motion carried, six in favor, one recusal. Voting in favor of the motion were Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J.**

**Place and Stephen N. Rawson. Council President Nancy F. Binns recused herself.**

**VOTED to reappoint Robin Volpini as a member of the Conservation Commission to serve a three-year term to expire on October 31, 2015.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**VOTED to reappoint David Marcotte as a member of the Recreation Commission to serve a three-year term to expire on October 31, 2015.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**12-243 VOTED to open the correspondence from Councilor Wallace F. Lees, Chairman, Screening Subcommittee, regarding possible additional recommendations by the Subcommittee.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor**

**Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**Discussion: Councilor Wallace F. Lees reported on interviews conducted by the Screening Subcommittee and confirmed the Subcommittee's recommendations.**

**VOTED that Ken Milligan be elevated from an alternate to a member of the Recreation Commission to complete the unexpired three-year term of Alice Lavigne; to expire October 31, 2013.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**VOTED to appoint Sandra Carter to complete the unexpired five-year term of Ronald Blanchard on the Housing Authority; term to expire October 31, 2013.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors**

**Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**VOTED to appoint Sandra Dalton to serve as an alternate member of the Board of Assessment Review for a one-year term to expire on November 30, 2013.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor David J. Place. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**VOTED to appoint Sandra Dalton to serve as an alternate member of the Recreation Commission for a one-year term to expire on October 31, 2013.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**12-244 VOTED to open the correspondence from Councilor Margaret L. Dudley regarding her request relative to the Dam Management District.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The motion carried, six in favor, one refusal. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees refused himself.**

**Discussion: Councilor Margaret L. Dudley reviewed her request for a resolution that would establish a procedure for adopting changes to the Dam Management District ordinance. Kevin P. Menard, President of the Dam Management District, filed a letter opposing the resolution. The matter was discussed.**

**MOTION to receive and file.**

**Motion by Councilor Stephen N. Rawson. There was no second to the motion.**

**VOTED to refer the concerns outlined in Councilor Dudley's resolution back to the Subcommittee for full review at that stage.**

**Motion by Councilor Kevin D. Heitke. Seconded by Councilor David J. Place. The motion carried, six in favor, one refusal. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J.**

**Place and Stephen N. Rawson. Councilor Wallace F. Lees recused himself.**

**12-245 VOTED to open the correspondence from Councilor Margaret L. Dudley regarding her request to present an Ordinance Subcommittee report.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Edward J. Blanchard. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**Discussion: Councilor Margaret L. Dudley, Chair of the Ordinance Subcommittee, summarized the outstanding issues before the Ordinance Subcommittee, i.e. the request to review the parking regulations on Sayles Avenue and the hours of operation of the Harrisville-Pascoag bike path. Councilor Dudley noted that all other ordinance-related items for the Town Council's Goals & Objectives had been addressed.**

**12-246 VOTED to open the correspondence from Michael C. Wood, Town Manager, regarding the annual capital program.**

**Motion by Councilor Stephen N. Rawson. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the**

**motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**Discussion: Michael C. Wood, Town Manager, reported on the request from a resident of Hill Road for dust abatement, indicating that the Department of Public Works would address the dust condition this fall at a cost of approximately \$3,500.**

**Michael C. Wood, Town Manager, provided a summary of the status of the multi-year capital program. Mr. Wood recommended that the Town Council transfer funds into the debt reduction fund to keep adequate funds reserved for the TransCanada matter. Mr. Wood's summary and recommendations are on file with the record of the meeting. The matter was discussed. Ms. Houle of Hill Road reviewed earlier comments on the dust conditions on Hill Road.**

**MOTION to recommend option one by Mr. McCormick; and also have the Manager notify PD about the speed on that road.**

**Motion by Councilor Edward J. Blanchard.**

**It was noted that funding for the dust control measures were in the operating budget, that a vote of the Town Council would not be required and that the matter would be addressed as outlined in the October 4, 2012 memorandum from Jeffrey M. McCormick, P.E.,**

**Director of Public Works and Engineering Services.**

**VOTED to transfer three-hundred thousand (\$300,000) into the debt reduction fund (account #3880) from the major capital account (account #3820).**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**10. Town Clerk/Communication:**

**12-247 VOTED to receive and file the correspondence from Spectra Energy, Algonquin Gas Transmission LLC, regarding an annual meeting.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Stephen N. Rawson.**

**Discussion: Councilor David J. Place requested that someone from the administration attend the meeting.**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J.**

**Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**12-248 VOTED to receive and file the correspondence from Michael R. Kirkwood, General Manager and CEO of Pascoag Utility District, expressing appreciation during recent water issues.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**12-249 VOTED to receive and file the public notice – Long range transportation plan draft, transportation 2035.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees.**

**Note: At this point on the agenda Councilor Edward J. Blanchard noted his participation in past Spectra Energy, Algonquin Gas Transmission LLC annual meetings returned to item #12-247,.**

**The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and**

**Stephen N. Rawson.**

**11. VOTED to receive reports #1 – 25, as follows:**

- 1. Town Treasurer: Reports of August and September 2012**
- 2. Burrillville Sewer Commission: Report of September 2012 and Meeting of September 11, 2012**
- 3. Tax Collector: Report of September 2012**
- 4. Department of Public Works: No report**
- 5. Chief of Police: Report of September 2012**
- 6. Office of Building Official: Report of September 2012**
- 7. Animal Control Officer: Report of September 2012**
- 8. Parks and Recreation Department: No report**
- 9. Burrillville Extended Care: No report**
- 10. Emergency Management Agency: No report**
- 11. Information Systems Department: Report of October 2012**
- 12. Burrillville Housing Authority: Meeting of September 12, 2012**
- 13. Planning Board/Town Planner: Meeting of August 6, 2012**
- 14. Recreation Commission: No report**
- 15. Burrillville Conservation Commission: No report**
- 16. Ordinance Subcommittee: No report**
- 17. Redevelopment Agency: Meeting of August 28, 2012**
- 18. B-PAC: No report**
- 19. Personnel Board: Meeting of September 11, 2012**
- 20. Screening Subcommittee: No report**
- 21. Budget Board: No report**

- 22. Burrillville School Committee: Meetings of August 14 and September 18, 2012**
- 23. Rubbish & Recycling Committee: No report**
- 24. Board of Canvassers: Meetings of August 9 & 21, 2012**
- 25. Juvenile Hearing Board: No report**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**12. Additional New Business:**

**12-250 VOTED to grant the requests for executive session from Town Manager Michael C. Wood and Town Solicitor Timothy F. Kane pursuant to Rhode Island Open Meeting Law [§42-46-5 (a)(2)] relative to potential litigation relative to TransCanada and to litigation: Town of Burrillville v TA Consulting LLC, et al.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**The town council returned to open session at 8:17 P.M.**

**VOTED to seal the minutes of executive session, noting that one vote had been taken.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**VOTED to adjourn at 8:17 P.M.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson.**

**The meeting was recorded.**

**Louise R. Phaneuf, Town Clerk**